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September 29, 2004

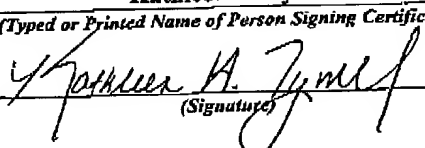
TO: Examiner Sisson (TC1600)**GROUP: 1634****FAX NUMBER: 703-872-9307****ATTORNEY DOCKET NO.: GCI-0017****SERIAL NO.: 09/973,850****FILED: October 10, 2001****NUMBER OF PAGES: 7****MESSAGE:** Attached please find Amendment Transmittal Letter; Reply to the Office Action mailed July 1, 2004; and Certificate of Transmission by Facsimile.**Kathleen A. Tyrrell, Registration No. 38,350****URGENT! PLEASE DELIVER IMMEDIATELY UPON RECEIPT. THANK YOU!**

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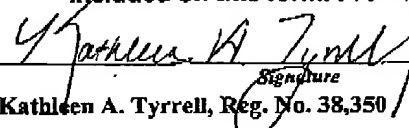
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| | | | |
|--|--|------------------------------------|-------------------------------|
| CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) | | | Docket No. GCI-0017 |
| Applicant(s): Wunderink and Waterer | | | |
| Application No. 09/973,850 | Filing Date October 10, 2001 | Examiner Sisson, Bradley | Group Art Unit 1634 |
| Invention: Method for Identifying Increased Risk of Death from Community Acquired Pneumonia | | | |
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| I hereby certify that this <u>Reply under 37 CFR 1.116</u> <small>(Identify type of correspondence)</small> | | | |
| is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9307</u>) | | | |
| on <u>September 27, 2004</u> <small>(Date)</small> | | | |
| <u>Kathleen A. Tyrrell</u> <small>(Typed or Printed Name of Person Signing Certificate)</small> | | | |
|  <small>(Signature)</small> | | | |
| Note: Each paper must have its own certificate of mailing. | | | |

P18/REV02

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|---|--|---------------------------------------|--|-------------------------------|---------------------------------|
| AMENDMENT TRANSMITTAL LETTER (Small Entity) | | | | Docket No. GCI-0017 | |
| Applicant(s): Wunderink and Waterer | | | | | |
| Application No. 09/973,850 | Filing Date October 10, 2001 | Examiner Sisson, Bradley L. | Customer No. 26259 | Group Art Unit 1634 | Confirmation No. 7130 |
| Invention: Method for Identifying Increased Risk of Death from Community Acquired Pneumonia | | | | | |
| COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 The fee has been calculated and is transmitted as shown below. | | | | | |
| CLAIMS AS AMENDED | | | | | |
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
| TOTAL CLAIMS | 1 - | 20 = | 0 x | \$9.00 | \$0.00 |
| INDEP. CLAIMS | 1 - | 3 = | 0 x | \$39.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$0.00 |
| <input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1619 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
|  Kathleen A. Tyrrell, Reg. No. 38,350 | | | Dated: September 27, 2004 | | |
| Licata & Tyrrell P.C. 66 E. Main Street Marlton, NJ 08053 Tel: 856-810-1515 Fax: 856-810-1454 | | | I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence | | |
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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1634

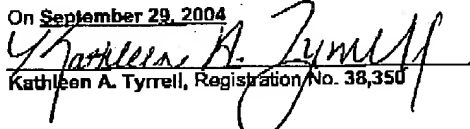
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: GCI-0017
Inventors: Wunderink and Waterer
Serial No.: 09/973,850
Filing Date: October 10, 2001
Examiner: Sisson, Bradley L.
Group Art Unit: 1634
Title: Method for Identifying Increased Risk of
Death from Community Acquired Pneumonia

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the date shown below.

On September 29, 2004


Kathleen A. Tyrrell, Registration No. 38,350

Mail Stop, Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

REPLY UNDER 37 C.F.R. § 1.116

This is a reply to the Office Action mailed July 1, 2004
setting a three (3) month statutory period for response. Please
enter the following remarks into the record.

Remarks begin on page 2 of this paper.

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